

**Region 1**Hot Topics**Poor Air Quality Continues in New England**

During the last week New England had three days with ozone concentrations in excess of the 2015 maximum 8-hour average NAAQS of 70 ppb (July 28, July 30, and August 3). The highest concentrations were measured in Connecticut (Greenwich, 90 ppb; Groton, 94 ppb; Madison, 95 ppb). The total number of ozone exceedance days in New England this season is now 13.

**R1 Provides Air Sensors to Conduct Air Monitoring in Chelsea, Massachusetts**

On August 6, R1 provided 9 PurpleAir particulate matter sensors available to the Massachusetts Department of Environmental Protection. The sensors will be deployed in Chelsea, MA to investigate ambient air quality concerns in the area. This loan was discussed in an August 5 letter from RA Dennis Deziel to Senator Markey and Congresswoman Pressley in response to their July, 15 letters to Administrator Wheeler expressing air quality concerns on behalf of Chelsea. Chelsea is a major industrial hub that has the highest rate of COVID-19 cases in the state of Massachusetts, they are also afflicted by longstanding burdens of historic air pollution. The entire Chelsea community is an environmental justice area.

**R1 Continues to Make Progress at New Bedford Harbor Superfund Site in Massachusetts**

This week, R1 completed the work on the decontamination of the De-sanding Building at the New Bedford Harbor Superfund site. The building samples are all well below the unrestricted TSCA standards and will be transferred to the City of New Bedford for reuse. In addition, the sample results from the Dewatering Building in the Lower Harbor are all passing TSCA standards for unrestricted use for ceiling, walls, beams, etc.

**R1 Performs Brownfields Outreach with Eastern Connecticut Land Bank**

On August 4, R1 met with representatives of the Eastern Connecticut Land Bank to discuss their newly formed nonprofit and their ability to apply for Brownfields funding. Eastern Connecticut has many small rural communities and includes 9 Opportunity Zones. The land bank was also referred to the New Jersey Institute of Technology, which can provide them with free assistance under the Technical Assistance to Brownfields program.

**R1 Conducts Outreach on MS4 Reporting**

On August 3, R1 participated in a MS4 webinar for Massachusetts and New Hampshire communities titled "Preparing and Submitting Your MS4 Annual Report Using the Year 2 Template." The webinar reached over 170 people and included a robust question and answer session.

**Final Record of Decision for Nyanza Chemical Site**

On July 30, the Final Record of Decision for the site was signed for the Nyanza Chemical Site in Massachusetts. The remedy calls for in-situ treatment of groundwater to reduce contaminants to a level that will eliminate the need for long term vapor mitigation systems.

**R1 Enters into a CERCLA Settlement Agreement for Removal Action in Vermont.**

On August 4, R1 signed an Administrative Order on Consent for a removal cleanup of the Route 279 East Site, located in Bennington, Vermont. The cleanup will be performed by the Vermont Agency of Transportation and the Town of Bennington, Vermont, under EPA oversight. The Site is about 15 acres

in size and includes an unpaved right-of-way contaminated by historical dumping.

Upcoming Major Decisions and Events

August 12      R1 and the Office of Water will begin a problem-solving session for the NPDES permit backlog. This is the first of five sessions scheduled over the next few weeks.

**Region 2**Hot Topics**Tropical Storm Isaias**

We received a Mission Assignment from FEMA to assess the status of 240 non-PRASA drinking water systems in Puerto Rico. At this writing we have been able to contact nearly 200 systems; of those, 26 systems are without power. If power is not restored quickly, we will work with FEMA to provide emergency generators.

**NY's MCLs for PFOS, PFOA and 1,4-Dioxane**

NY State announced on July 31, the approval by the state Public Health and Health Planning Council of a drinking water MCL for 1,4-dioxane at 1 ppb, and MCLs for PFOA and PFOS at 10 ppt each. This is the first state MCL for 1,4-dioxane, and among the lowest state MCLs for PFOA and PFOS. The regulations were published in January for a 45-day comment period; they establish a process whereby systems that proactively tested to come into compliance with the proposed MCLs would not be issued violation notices. Upon approval by the NYSDOH commissioner, the final regulations will be published in the state register. Systems will then have 60, 90 or 180 days to test, depending on the size of the population served.

**NJ WQS Improvements**

On July 29, EPA approved enhancements to NJ's Surface Water Quality Standards. 600 river miles were upgraded to the Category One anti-degradation designation; of these, 547 miles were upgraded based on exceptional ecological significance due to an exceptional aquatic community and/or supporting endangered and threatened species, and 53 miles were upgraded based on exceptional fisheries resources. Also, 32 waterbodies were reclassified; the definition of "Exceptional ecological significance" was amended to reflect that NJ's Endangered and Nongame Species Program utilizes the Biotics database to verify the occurrence of endangered and threatened species; and it was clarified that the 2% or less impervious surface standard is applicable to HUC 14s that are smaller than 5 square miles, with the 10% limit applicable to HUC 14s that are five square miles or larger.

**Consent Order for Gowanus Canal Superfund Site**

On July 24, R2 finalized an Administrative Order and Settlement Agreement with SIP Holdings Venture LLC, a redevelopment entity, for the upgrade of its aging bulkhead along the Gowanus Canal in Brooklyn, NY. This is one in a series of new bulkheads needed to provide structural support for the dredging and capping of the Canal, which is expected to begin later in 2020. It will also support anticipated future commercial redevelopment work at the property. The work under the AOC is valued at \$10 million.

## Upcoming Major Decisions and Events

### **Review of NYC Water Protection Program**

The review by the National Academies of Sciences, Engineering and Medicine (NASEM) of the NYC Watershed Protection Program (WPP) will be released on August 10. A public webinar will be held that day to provide a briefing on the report, followed by an online Q&A session. In late 2018, a NASEM committee commenced a review of the WPP, with the goal of determining whether the current suite of component programs is appropriate and adequate to comply with the Surface Water Treatment Rule into the future.

### **Great Lakes - Rochester Embayment Management Actions Completed**

At an August 13, press event in Rochester, NY, EPA and USACE will announce completion of all Management Actions (i.e., remediation and restoration work) required to remove the Rochester Embayment from the binational list of Great Lakes Areas of Concern (AOCs). The Braddock Bay ecosystem restoration project completed by the USACE in 2018 was the last major restoration effort needed to delist this AOC. Significant funding for the restoration work was provided through the Great Lakes Restoration Initiative (GLRI). The environment is already responding to this remediation: 9 of the 14 Beneficial Use Impairments in this AOC have been removed to date, with three more expected to be removed this year.

### **Caribbean Recovery Visit**

From August 19 – August 21, Associate Deputy Administrator Doug Benevento, RA Pete Lopez, and senior regional managers will visit PR and the USVI. They will have several site visits and meetings to discuss the progress of recovery efforts in the two Caribbean jurisdictions. Included will be meetings with Rear Admiral Brown, White House Special Representative for PR Disaster Recovery, FEMA, and the Governors of both PR and the USVI.

## Region 3

### Hot Topics

#### **Virtual Brownfields Grant Writing Webinar for Delaware Applicants**

On August 4, EPA, in coordination with NJIT and DNREC, will host a grant writing webinar to describe Brownfields funding opportunities and improve the quality of grant applications submitted from entities within Delaware. The webinar will provide materials for how non-profits and local municipalities can apply for Brownfields grants and leverage federal grants for state funds. Additionally, the webinar will offer tips and tricks for how to make their applications more competitive. Numerous community stakeholders will participate in the webinar and bring unique experiences and questions about their Brownfields projects for discussion.

#### **Brownfields Technical Assistance to Easton, Pa, to Improve Neighborhood Mobility**

Investments in former brownfields were not accessible to a large portion of Easton's residents and this technical assistance (TA) coordinated a three-day visioning workshop resulting in a connectivity plan for Easton's West Ward residents. This plan designed turning current and past brownfield redevelopments into destination nodes adding public parks and other civic attributes. The connectivity plan highlighted a hierarchy of corridors with mobility design feature improvements. The City is now considering how to set up demonstration areas and hosting a special event to promote and increase bike awareness. This is the second Brownfields TA project that EPA has completed in Easton.

#### **EPA Releases Evaluations of Two-Year Milestones**

On Wednesday, July 29, EPA released its evaluations of final 2020-2021 milestones submitted by the six Bay watershed states - Maryland, Virginia, Pennsylvania, Delaware, West Virginia and New York – the District of Columbia and a set of federal agencies. In addition to the current milestone period, EPA's reviews also focused on progress reported during 2018-2019 milestone period. The evaluations are posted on the Chesapeake Bay TMDL website – [ HYPERLINK "<https://www.epa.gov/chesapeake-bay-tmdl>" ].

#### **Johnstown, PA - Local Foods Local Places (LFLP) Technical Assistance**

On July 29, the first of three planning meetings was held for the upcoming virtual LFLP workshop to be held October 1 - 2. LFLP helps cities and towns across the country by engaging with local partners to reinvest in existing neighborhoods as they develop local food systems. Representatives from Northbound Ventures (lead contractor for the project), EPA HQs and R3, Small Business Administration, U.S. Department of Agriculture, Johnstown Local Steering Committee, and two local foundations participated in the meeting. Johnstown is interested in housing a farmer's market and culinary school in the Johnstown Amtrak train station. The train station was built in 1916. To date, Johnstown has received funding from the Commonwealth of PA, and EPA's Brownfields program. Stated outcomes from this technical assistance is to develop a local food system to address food security issues and spur redevelopment in Johnstown.

### **EPA Publishes Notice to Extend the Public Comment Period on a Proposed Rule Regarding Allegheny County's Attainment Demonstration to meet the 2012 PM<sub>2.5</sub> NAAQS**

On July 31, EPA published a notice in the *Federal Register* reopening the public comment period (which closed July 13) for our June 12, proposed approval of a plan demonstrating that the Allegheny County Area will attain the 2012 Fine Particulate National Ambient Air Quality Standard (PM<sub>2.5</sub> NAAQS) in a timely manner under the Clean Air Act. EPA's July 31 action reopens the comment period through August 13, granting a written request for a comment period extension from the Clean Air Council, an environmental advocacy group. To compensate for a COVID-related delay in publication at the *Federal Register* of this comment period reopening notice (signed by the Regional Administrator on July 17), EPA informally extended the deadline for submission of comments in electronic form via [ HYPERLINK "http://www.regulations.gov" ] in the interim period between the original July 13, comment period closure date and the July 31, publication date of the of the reopening notice.

### **Air Plan Approval; Pennsylvania; 1997 8-Hour Ozone National Air Quality Standard (NAAQS) Second Maintenance Plan for the Altoona (Blair County) Area**

EPA is proposing to approve a second maintenance plan, which was submitted as a state implementation plan (SIP) revision by the Commonwealth of Pennsylvania on February 27. This revision pertains to the Pennsylvania Department of Environmental Protection's (PADEP) plan for maintaining the 1997 8-hour ozone national ambient air quality standards (NAAQS) for the Altoona/Blair County area.

### **Air Plan Approval for Harrisburg-Lebanon-Carlisle Area Pennsylvania 1997 8-hour Ozone NAAQS Second Maintenance Plan**

In this notice of proposed rulemaking (NPRM), EPA is proposing to approve Pennsylvania's plan to continue to maintain the 1997 ozone national ambient air quality standards (NAAQS) for the Harrisburg-Lebanon-Carlisle area. Pennsylvania submitted this second maintenance plan on February 27. EPA's redesignation of the area from nonattainment to attainment for the 1997 ozone NAAQS was effective on July 25, 2007.

### **R3 hosts annual partnership meeting with MDE and DoD stakeholders**

On July 28, R3 hosted approximately 50 representatives from MDE, DoD and EPA for this annual partnering meeting. This meeting's agenda focused on PFAS issues, EPA's ECHO database, and DoD concerns about MDE's MS4 Best Management Practices (BMP) construction program. DoD expressed that they have 20 installations in MD that will need BMP construction to comply with MS4 requirements. DoD's questions were as follows: 1) What is required from the facilities to received credit for MS4 BMP construction? 2) What is the BMP approval process, and 3) If a DoD installation cannot complete planned BMPs for the year, would MDE take enforcement action?

### **R3, state and local partners discuss CAA inspections during pandemic (all R3 states & local air agencies)**

On July 28, R3 staff held a conference call with the R3 CAA state/local agencies to discuss how they have been monitoring facility compliance during the current pandemic. The meeting provided an open forum for EPA and state/locals to share off-site compliance monitoring activities, on and off-site inspections, and the use of cameras/videos for virtual inspections. OECA representatives discussed the status of the EPA/Environmental Council of States (ECOS) workgroup on virtual inspections and flexibilities being offered by EPA for state/local compliance monitoring strategy commitments during this time. Participants requested that the group reconvene in a month to continue this productive exchange of information.

**R3 Field Services Branch Deploys Oyster Cages at Atlantic Wood Industries Superfund Site.**

The Field Services Branch (FSB) deployed 7 oyster cages July 27 – 28, as part of post-remediation monitoring of the Atlantic Wood Industries, Inc (AWI) Superfund Site in Portsmouth, VA. R3 Superfund and Emergency Management Division requested the assistance of FSB to take over monitoring efforts previously initiated by contractors at the AWI site. A total of 7 oyster cages were deployed at the AWI site and 2 reference locations; each cage had a total of 150 oysters that were weighed and measured before deployment. The cages will be checked in 30 days for oyster mortality and retrieved after 60 days of deployment. Tissue will then be collected and analyzed for contaminants to assess whether remediation objectives have been achieved.

**EPA Reviewed Final Milestone Evaluations with Pennsylvania and Delaware**

EPA hosted a call with the Delaware Phase III WIP review team on July 23, to discuss changes between the draft and the final evaluation. Delaware requested EPA include language recognizing the role of both Agencies regarding concerns related to public notice. EPA also hosted a call with Pennsylvania on July 27, to discuss changes between the draft and final evaluation. Both States reiterated concerns related to COVID and the potential impacts to meeting milestone commitments for the interim progress report due January 2021. There were no changes made to the final evaluations which are posted to EPA's website.

Upcoming Major Decisions and Events

Nothing to Report.

**Region 4**Hot Topics**Oak Ridge Reservation (DOE)**

R4 provided follow up information to OECA regarding technical comments on the DOE proposal. OECA is planning to communicate to DOE HQ. A joint meeting of the Emerging Issues Team with the Senior Leadership Team is scheduled for August 6.

**Carolina Sunrock, Anderson, NC**

R4 has been coordinating with OAQPS and NCDEQ regarding an Anderson, NC community request for assistance reviewing/commenting on a NC minor source air quality permit application for a proposed asphalt/cement plant. NCDEQ has reached out to R4 to request support on planning a mini-workshop on air permitting to benefit the EJ community in Anderson, SC. R4 staff plan to collaboratively work with NCDEQ to prepare and conduct this before the next public hearing.

**FL 404 Assumption**

On July 31, RA Walker and FDEP Secretary Valenstein signed the R4/FDEP MOA and on August 5<sup>th</sup>, R4 had press release on the signing. R4 has been notified by USACE that they have also signed their MOA with FDEP. FDEP is still working to complete the package for submission to R4.

**EtO**

On August 4, R4 met with GAEPD and ATSDR to learn the status of ATSDR's GA health study and the national EtO health study

**College/Underserved Community Partnership Program (CUPP) Webinar:**

R4 staff conducted a Superfund Redevelopment Initiative CUPP Colleges webinar on July 29. The webinar was well-received with 98 participants (28 EPA, 24 State and local government, 14 academia). Following the webinar, a Professor at Kansas University reached out to R4, desiring to collaborate with EPA R7 in providing hydrogeological services to local municipalities from students in her senior capstone courses. R4 is working to arrange collaborations.

**Community Driven Solutions (CDS) Roadshow**

On August 8, R4 staff alongside HQ OP will host a CDS (virtual) Road Show meeting for all R4 managers. The purpose of the Roadshow is to: 1) inform regional leadership on EPA's CDS approach; 2) share the CDS background and concept demonstrating cross-regional project examples, including pilot projects and initiatives underway; 3) share information on the "Community Collaborative Councils"; and 4) discuss the value of integrating programmatic expertise and resources with EPA's priority community-based/place-based projects and initiatives.

**Koppers/Beazer Facility, Grenada, MS**

R4 held a call with the facility on July 30<sup>th</sup> to plan an off-site residential sampling event in mid-September. EPA's Interim Guidance during COVID-19 for Field Activities was shared with the facility. R4 will send out an informational flyer to all residents. Grenada's City Manager and MDEQ will also receive notification of the planned sampling and information regarding COVID-19 precautions. R4 plans to conduct oversight of the sampling,



### **Guilty Plea in COVID FIFRA case (Georgia)**

On August 4, Matthew Shumaker plead guilty to knowingly distributing and selling a misbranded pesticide device in violation of Title 7, USC, Sections 136j(a)(1)(F) and 1361(b)(1)(B). Shumaker advertised and sold an air cleaning device claiming that it “killed CO-vid 19.” Shumaker was sentenced by Judge Vineyard in the Northern District of Georgia, to 24 months of probation and fined \$9,300 and will enter into a payment plan with the court to pay the \$9,300 fine. Initial \$1500 initial payment and then a monthly payment of \$458.82 per month for 17 months.

### **Louisville Gas & Electric (LG&E)**

On July 30, EPA/DOJ filed a complaint against LG&E in the U.S. District Court for the Western District of Kentucky for Clean Air Act violations at the company’s Mill Creek facility in Louisville. The complaint alleges that LG&E’s past emissions of sulfuric acid mist violated three Kentucky State Implementation Plan provisions. R4 will be seeking penalty, injunctive relief, and mitigation of past sulfuric acid mist emissions.

Publication of Mobile ODMDS final rule: On August 4, the final rule for the modification of the Mobile Ocean Dredged Material Disposal Site (ODMDS) was published in the Federal Register with an effective date of September 3.

Southside Chattanooga Lead, Chattanooga, TN: The first week of Sampling Event 6 was concluded on July 31. A total of 169 samples were taken from 83 properties, which included Tatum Park, a popular communal and play area in the Highland Park neighborhood. R4 staff did a five-minute interview with News Channel 9’s Kiley Thomas. Sampling and remediation updates were provided, as well as, the enhanced health and safety measures implemented at the site in due to COVID-19.

### **Upcoming Major Decisions and Events**

#### **Miami-Dade County WIFIA Announcement**

On August 6, RA Walker will participate in a virtual WIFIA announcement followed by a press call with Administrator Wheeler, U.S. Congressman Mario Diaz-Balart, and Miami-Dade County Mayor Carlos Gimenez. The \$235M loan is the third WIFIA installment issued to Miami-Dade County, and will be used to help finance the expansion of the South District Wastewater Treatment Plant.

**Region 5**Hot Topics**EPA Declines to Extend Public Comment Period for USS Lead Superfund Site**

Key Message: In response to a request from the East Chicago Calumet Coalition, EPA has decided not to extend the public comment period or hold a public meeting on the proposed partial deletion of 671 properties from the USS Lead Superfund site. R5 extensive community outreach is the basis of this decision.

The Region has conducted extensive outreach regarding the proposal – and it has been covered widely in the news media – and has not seen widespread concern or desire for a public meeting from the affected residents. The city, the public and the state are supportive of delisting and given the extensive engagement and outreach, there is no justification for delaying this important step for the community.

**Michigan PFAS Drinking Water Standards in Effect**

Key Message: On August 3, Michigan EGLE adopted regulations limiting PFAS contamination in drinking water. The new MCLs for seven PFAS chemicals in drinking water cover roughly 2,700 public water supplies around the state. Compliance with the new standards at those systems and others will be determined based on a running annual average of sample results.

Investigations near the public water systems with PFAS detections will be prioritized for further assessment and sampling by EGLE to determine potential PFAS sources and any potential risk to both public and private drinking water. The new drinking water standards also have an immediate effect on Michigan's existing groundwater clean-up criteria. This will result in 42 new sites being added to MPART's ongoing PFAS investigations.

**Lower Menominee Area of Concern Delisting Status**

Key Message: This week, RA Thiede notified the U.S. Department of State of EPA's desire to formally remove the AOC designation from the Lower Menominee River. DOS will then notify Global Affairs Canada, and upon Canada's acknowledgement of the request, the AOC will be considered delisted. This will likely be completed by the end of this month, possibly sooner.

The Lower Menominee River will be only the 5th delisting of a U.S. AOC and is a significant accomplishment under both the GLRI and GLWQA. A variety of remediation, monitoring and assessment activities overseen by EPA, Wisconsin and Michigan between 2000 and 2018 have resulted in the removal of a number of environmental impairments in the AOC, leading to a cleaner and healthier river bottom, a healthier fish and wildlife population and improved fish and wildlife habitats.

**R5 Convenes Call with Community Advocates in Centreville, Ill., to Discuss Flooding Issues**

Key Message: On July 31, R5 environmental justice program convened a call with Illinois EPA and community advocates to discuss chronic flooding and sewer overflows in Centreville, Ill. Illinois Sens. Durbin and Duckworth have called upon EPA to take action to address the issues.

On the call, Centreville advocates and Illinois EPA agreed to pursue regional, watershed-scale planning that includes Centerville. In addition, R5 informed the group of the ongoing investigation of sewer overflows being conducted alongside Illinois EPA. R5 committed to providing an update to community advocates within the next two to three weeks.

### **Fox River Superfund Site Sediment Cleanup Complete**

Key Message: The Lower Fox River Superfund site reached a significant milestone completing more than 6.5 million cubic yards of PCB-contaminated sediment cleanup across 39 miles of the Lower Fox River. This site is a model of an effective and collaborative state/federal partnership, with EPA taking the enforcement lead and Wisconsin DNR the technical lead. Working as a team, we were able to complete this project and support economic values throughout the region, including world-class fisheries, increased recreation and tourism, and the restoration of a large freshwater estuary system.

### Upcoming Major Decisions and Events

#### **Wisconsin Trip**

August 11 - RA Thiede will be joining Administrator Wheeler in Wisconsin for a series of events  
August 12 and meetings. Highlights will include visits to see the accomplishments at the Lower Menominee River AOC and the Fox River Superfund site and announcing a WIFIA loan to the city of Waukesha.

**Region 6**Hot Topics**COVID-19**

R6 is coordinating closely with our state and tribal environmental and public health agencies as well as EPA HQ offices to elevate and address challenges quickly. Renaissance Tower in Dallas is under 7-day closure. R6 Warehouse in Addison and the Border Office in El Paso are being accessed for mission critical work. Region 6 has no new cases of COVID-19.

**Denka, LaPlace, Louisiana**

The company has restarted and is fully operational at nearly full production since July 27. The company is uncertain whether a fall turnaround will be necessary. By August 14, both firmware updates and valve replacements should be completed on the OECA SPods monitoring network with a September 1, target date to be fully operational. SPods are expected to operate until December 2020. OAR community air monitoring network is expected to continue to collect samples until September 25, and then it will be removed beginning on September 26. A project status has been provided to the Congressional delegation, State, Parish President and local stakeholders.

**San Jacinto River Waste Pits Superfund Site, Channelview, Texas**

On August 6, the Texas Health and Environment Alliance (THEA) will hold a press conference to share concerns regarding the design phase of the San Jacinto River Waste Pits' Superfund process. R6 previously received the 30% remedial designs for the Southern Impoundment and Northern Impoundment from the responsible parties' contractor and provided an update on the remedial designs during a San Jacinto River Waste Pits community advisory committee meeting on July 29. THEA is raising concerns of omissions of data from the data reports used for the remedial designs and asks that EPA require a redo of waste characterization sampling and analysis. THEA also raises concerns of integrity and transparency in the Superfund process.

**Muscogee Creek Tribal Nation, Oklahoma**

The State of Oklahoma submitted its request to EPA on July 22, following the Supreme Court's ruling that the U.S. treaties with the Muscogee (Creek) Nation created a reservation for the Nation and that the reservation has not been disestablished by Congress. On July 24, Muscogee (Creek) Nation requested EPA consultation on SAFETEA and its effect on their reservation. According to our consultation process, a consultation request is entered into a national database known as Tribal Consultation Opportunities Tracking System (TCOTS) which automatically issues a listserv notification to registered stakeholders. R6 also provided a McGirt Supreme Court decision update at the EPA/Tribal Operations Committee meeting in late July. R6 Tribal Affairs is planning on notifying via email the Committee participants of these developments.

**Gold King Mine, San Juan- Animas River, New Mexico**

R6 and headquarters water programs and counsels are discussing eligibility questions on the San Juan-Animas grant work plans for New Mexico, both past and present. If past activities by the state are determined to be ineligible, the state could be required to reimburse costs. Currently, state costs are estimated at \$50k.

**City of Houston, Harris County, Texas**

EPA R6, OECA, DOJ, and Texas expect the Motion to Enter the Consent Decree that requires Houston to pay a penalty of \$4.4 million, which is split evenly between Texas and the Federal government. The decree also requires extensive injunctive relief to address effluent violations with particular focus on the worst performing treatment plants. The Plaintiff-Intervenor (Waterkeeper) has objected to entry, so once the Motion to Enter has been filed, the Plaintiff-Intervenor can submit its objection to the court. The Court will decide whether it enters the decree or entertains further proceedings regarding the decree. When the decree is entered, it becomes a judgement of the court, and Houston is required to implement the specified remedial measures to address sanitary sewer overflows and effluent limit violations.

**Falcon Refinery Superfund Site, San Patricio County, Texas**

On August 27, R6 intends to hold a virtual community meeting to discuss the Proposed Plan for Operable Unit 2 (Wetlands and Marine Habitat) for the Falcon Refinery site. The Proposed Plan, which will be issued on August 13, calls for "No Further Action" based on the human health and ecological risk assessment conducted by R6 for Operable Unit 2. The public comment period is scheduled to run from August 13 - September 12.

**MacMillan Ring Free Oil Superfund Site, Norphlet, Arkansas**

On August 11, R6 intends to hold a virtual community meeting to present the Proposed Plan for the MacMillan Ring Free Oil site. The community will have the option to log in or go to Norphlet City Hall to participate in the meeting. The Public Comment period for the site began July 20, concludes on August 19.

**Homestake Mining Company Superfund Site, Grants, New Mexico**

By August 12, R6 intends to sign the Administrative Order on Consent (AOC) for the Homestake Mining site. The DOJ has approved the CERCLA 113(f) Reservation of Rights language in the AOC for the Feasibility Study (FS) equivalency process at the site. This language was the last item to be resolved between Homestake and EPA for completing the AOC negotiations.

**Former Reese Air Force Base, Lubbock, Texas**

Over the next six weeks, R6 expects the Air Force to install 25 additional monitoring wells to provide a better understanding of source areas and migration patterns of PFAS contamination in groundwater. The Air Force released a press release on July 29, to inform residents in the area that they will likely see drilling rigs working near area roadways. These investigations are part of the PFAS Affected Property Assessment investigation, required by the TCEQ RCRA Permit and Compliance Plan. The Air Force will continue to ensure residents have access to safe drinking water under the EPA's Lifetime Health Advisory and TCEQ's Protective Concentration Levels for PFAS. To date, the Air Force has sampled more than 500 drinking water wells for PFAS and installed 220 whole-house drinking water treatment systems on affected wells at and around the former base.

**Upcoming Major Decisions and Events****Cimarron Mining Superfund Site, Carrizozo, New Mexico**

On August 5, the Federal Register published the Notice of Intent to Delete for Cimarron Mining Site from the NPL. The public comment period closes on September 4.

**Los Alamos National Laboratory, Los Alamos, New Mexico**

By August 10, R6 intends to sign a letter regarding a change in scope of the planned controlled venting of tritium contaminated waste containers at the Los Alamos National Laboratory (LANL). LANL plans to brief nearby tribes, as tribal interest has been high.

**Texas Construction Permit SIP, Texas**

TCEQ will be adopting the proposed revisions to the Texas SIP to allow for construction prior to permit amendment issuance for certain minor NSR permit actions. Our rulemaking action is being proposed in parallel with the state's rulemaking action. TCEQ adopted the final SIP revision in July 2020, however we are currently awaiting the final SIP package. R6 anticipates finalizing our action in late August 2020.

- August 6      Texas Environmental SuperConference (Virtual)
- August 12     US/Mexico Border groundbreaking ceremony for Presidio water project with Congressman Hurd (Virtual)
- August 14     US/Mexico Border infrastructure event for Anthony Water Project with Congresswoman Torres Small (Virtual)
- August 19     Permian Basin Petroleum Association webinar (Virtual)
- August 20     Meeting with Region 6 President's Environmental Youth Award winners (Virtual)

**Region 7**Hot Topics

An Explanation of Significant Differences was Signed for the Lawrence Todtz Farm Superfund Site (Camanche, Iowa)

Key Message: On July 30, R7 signed an explanation of significant differences updating health-based screening levels and contingency remedy action levels for the Lawrence Todtz Farm Superfund site.

Description:

- The Lawrence Todtz Farm site was a landfill which collected municipal and industrial wastes from 1958 to 1975. The primary contaminants of concern include tetrahydrofuran, carbon disulfide, chromium, and arsenic.
- DuPont disposed of cellophane process waste in a 2.6-acre section of the landfill now known as the impoundment.
- A record of decision was completed in 1988, and the principal responsible parties completed construction in 1991. The remedy included: installation of a soil cover over the waste impoundment, groundwater monitoring, institutional controls, and a contingency remedy triggered by action level exceedances.
- Currently, arsenic contaminated groundwater migration is not under control, but there are no known on-going exposures.
- This explanation of significant differences updates health-based screening levels and the action levels associated with triggering the contingency remedy to reflect current standards.
- A public comment period was required by the Consent Decree and spanned June 23 to July 23.
  - One set of comments, from the PRP, was received and addressed.
- The updated action levels will potentially trigger the contingency remedy in the 1988 record of decision which involves building a slurry wall and enhanced cap.
- R7 plans to engage the PRP to discuss a plan forward; additional characterization is anticipated.

An Explanation of Significant Differences was Signed for the Parkview Well Superfund Site OU02 (Grand Island, Nebraska)

Key Message: On August 4, R7 signed an explanation of significant differences to modify the selected remedy for the Parkview Well site OU02 to include a source control performance objective for in-situ chemical oxidation injections.

Description:

- The site consists of two operable units.
  - OU01 addresses groundwater contamination within and near the Parkview Subdivision.
  - OU02 addresses all site-wide final remedial actions, including the plume source area (soils and groundwater) and remaining groundwater contamination not addressed as part of OU01.
  - The primary contaminants of concern include 1,1,1-TCA, 1,1-DCA, 1,1-DCE, 1,4-dioxane, and perchloroethylene.
- In 2007, the OU02 record of decision was issued, and in-situ chemical oxidation was selected as the remedy for both source control and groundwater restoration.
  - At that time, a source control performance measure to determine remedy completion of the in-situ chemical oxidation work was not identified.
- The explanation of significant differences will only memorialize the source control performance measure in reference to the OU02 record of decision.

- Once groundwater values of perchloroethylene are equal to the source control performance measure, the remedy will be considered complete and in-situ chemical oxidation injections will no longer be needed.
- The groundwater remediation goals remain unchanged.

#### Upcoming Major Decisions and Events

Nothing to Report.



**Region 8**Hot Topics**Media Releases highlighted Gold King Mine Clean Up Progress**

To highlight the progress made in the five years since the release at the Gold King Mine, two media outlets requested interviews. R8 participated in interviews with the Albuquerque Journal and the Durango Herald. EPA provided information about the progress made at the Bonita Peak Mining District Superfund Site and on the San Juan Watershed Program. Albuquerque Journal article is available at: [ HYPERLINK "https://www.abqjournal.com/1482032/gold-king-mine-disaster-cleanup-part-of-decades-long-mining-legacy.html" ] Durango Herald article available at [ HYPERLINK "https://durangoherald.com/articles/334236-five-years-after-gold-king-mine-spill-water-quality-remains-a-concern.%20" ]

**R8 Received Second Notice of Intent to Sue EPA Over Lack of Clean Water Act Section 303 TMDLs in Montana**

On July 15, the Montana Environmental Information Center and the Sierra Club notified EPA of their intent to sue EPA over EPA's failure to promulgate total maximum daily loads (TMDLs) for three waterbodies in Eastern Montana listed as impaired in 2018 under the "constructive submission" doctrine. The water bodies were first identified as impaired by aluminum and iron in 2018 and TMDLs remain to be done. TMDL Program staff are reviewing the NOI with ORC and HQ to formulate our response options and are in communication with Montana DEQ.

**Wyoming Has Not Applied for \$11M Drinking Water State Revolving Funds (DWSRF) this Year with \$2M in State Match Requirement**

R8 requested a final decision from Wyoming on applying for the FY19 DWSRF by July 31, they have not received a response. We expect that the state will not apply for the funding. Wyoming's full available allotment of \$11M would require \$2.2M in required State matching funds. Due to State match shortfall and the limited community demand for SRF loans, the state is proposing applying for full funding every other year. EPA R8 will coordinate with Wyoming DEQ to prepare set-aside eligible activities to maximize the continued use of non-loan SRF funds for water system projects.

**R8 Issued an Emergency Administrative Order (EAO) to the Ashland Community Public Water System on the Northern Cheyenne Reservation, Montana**

On August 3, the EPA issued an EAO in response to a potential imminent and substantial endangerment at the Ashland Community Tribal Public Water System (System) due to pressure loss. The System is supplied by a groundwater source and is operated year-round. The System has 53 service connections and regularly serves 265 individuals daily. The System posted a boil order advisory on July 31, it is continuing to provide an alternate water source to its customers. The EPA informed the System representative of the requirements that will be contained within the EAO to provide an alternative water supply, keep the boil water advisory posted, provide the EPA with a plan and schedule that outlines actions to be taken to ensure there is no future *E. coli* contamination at the System, and perform the necessary corrective actions. EPA had a consultation with tribal leadership on August 3, prior to issuing the EAO.

Upcoming Major Decisions and Events

August 10      RA consultation with Confederated Salish and Kootenai Tribes and the Kootenai Tribe

of Idaho on the Montana selenium criteria.

- August 12 RA consultation with the Blackfoot Tribe on NPDES planned enforcement action letter.
- August 13 R8 will hold a virtual regional awards ceremony.
- August 14 RA call with state agricultural commissioners on water reuse action plan.
- August 14 RA call with Region 8 State Environmental Directors.

**Region 9**Hot Topics**Applicability Determination**

On July 13, the Division Director signed an applicability determination letter for the pilot demonstration FastOx Gasification Biorefinery owned and operated by Sierra Energy in Monterey County, CA. This is the first applicability determination completed by Air and Radiation Division since the responsibility was transferred from Enforcement and Compliance Assurance Division. In this determination, EPA is reiterating that gasification is, by itself, not combustion and that the Sierra Energy unit, which converts waste to energy, is not subject to the "Other Solid Waste Incinerators" Rule.

**Harmful Algal Bloom Analytical Support**

At the request of the Water Division, the Lab will be analyzing ambient samples collected by tribal partners from several northern California watersheds for the algal toxin microcystin. The sampling will occur weekly over the next several months. The Lab received samples this week from the Klamath River algal toxin monitoring project and the Big Lagoon algal toxin monitoring project.

**Union Pacific RR Train Derailment, Tempe, AZ**

On July 29, at approximately 0600 PST a 110 car Union Pacific Railroad (UPRR) freight train derailed 10 rail cars on the Ash Street Bridge in Tempe, AZ. OSCs responded to the incident on July 29, and integrated into the command structure in support of AZDEQ and the local Incident Commander. Several railcars hauling lumber products caught fire causing the bridge to burn. The subsequent fire caused the bridge to fail and resulted in at least 3 tank cars to plummet to the ground which released approximately 1,000 gallons of cyclohexanone, a colorless industrial solvent. EPA provided air monitoring support during fire suppression and the transfer of cyclohexanone from the damaged rail cars. The EPA Team provided additional air monitoring support during the demolition of the damaged section of the bridge. Once demolition was complete, Incident Command stood down and the EPA Team demobilized from the scene. AZDEQ and the City of Tempe will conduct oversight for the removal of residual soil contamination by UPRR.

**West Van Buren (WVB) Sampling & Analysis Plan (SAP)**

The WVB SAP has been finalized and will be transmitted to ADEQ shortly. The sampling will be used to evaluate whether VOCs are present in soil vapor that could be attributed to off gassing from groundwater. This is the final phase of the Preliminary Assessment in response to the request by ADEQ to evaluate the WVB Site for proposal to the National Priorities List. The sampling will consist of soil vapor samples at 28 locations near 14 monitoring wells at the site.

**1.2 Million Pounds of Perchlorate Safely Remediated at NERT/Tronox Site**

On July 29, the Nevada Environmental Response Trust (NERT) concluded treatment of all materials from a half-acre pond used from 1983-2001 in the manufacturing process for ammonium perchlorate. The pond contained highly explosive crystalized perchlorate. The remedial process that began in 2015 involved construction of three 600,000-gallon stainless steel tanks to safely transfer pumpable sediments from the pond to the on-site biological treatment system. In total, 11,000 tons of contaminated berm material were excavated and disposed, and 1.2 million pounds of perchlorate were destroyed through the treatment system. EPA and the Nevada Division of Environmental Protection cooperatively oversee remedial actions at this site.

## Upcoming Major Decisions and Events

### **Virtual Spring RTOC**

August 11 – 13      R9 RTOC co-chairs will convene the quarterly RTOC virtually. The three-day meeting will include a tribal caucus, presentations on quality assurance requirements and tribal consultation, and several technical break-out sessions, among other topics.

**Region 10**Hot Topics**Stibnite Mine Identified as High Priority Infrastructure Project under E.O. 13766 (ID)**

On July 27, the Chairman of the Council of Environmental Quality designated the Stibnite Gold Project a high priority infrastructure project pursuant to Executive Order 13766, "Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects." CEQ has submitted a letter to the USDA Secretary requesting that the U.S. Forest Service conduct its environmental review in a timely manner consistent with the One Federal Decision Policy described in E.O. 13807. EPA R10 is a Cooperating Agency on the Stibnite Mine EIS project, and it anticipates the USFS issuing the draft EIS for review in mid-August.

**Ninth Circuit Oral Arguments re: Bristol Bay**

On August 12, oral arguments will be held in the Ninth Circuit on Trout Unlimited's appeal of the District Court of Alaska's decision granting EPA's motion to dismiss in the Pebble Mine litigation. The District Court previously held that EPA's withdrawal of a proposed determination under Clean Water Act Section 404(c) is exempt from the Administrative Procedure Act's presumption of judicial reviewability because it is an agency action committed to agency discretion by law.

Upcoming Major Decisions and Events**Columbia River System Operations Final Environmental Impact Statement Issued**

The US Army Corps of Engineers, Bureau of Reclamation and Bonneville Power Administration issued the Columbia River System Operations Final Environmental Impact Statement on July 31. EPA is a Cooperating Agency and provided comments on the Draft EIS earlier this year. The deadline for comments on the Final EIS is August 31.

**Deschutes River TMDL Public Notice (WA)**

On Friday, August 7, R10 will provide public notice of the completion of the Deschutes River Total Maximum Daily Loads, beginning a 60-day public comment period. EPA established the TMDLs on July 31, after having previously partially approved and partially disapproved a TMDL submittal by the Washington Department of Ecology. EPA's TMDLs address impairments for sediment, bacteria, dissolved oxygen, pH and temperature.

**PFAS Technical Assistance in Alaska**

On August 7, R10 leadership will brief the Alaska Department of Environmental Conservation Commissioner on the Office of Research and Development's PFAS technical support projects involving Utqiagvik, the Fairbanks Wastewater Treatment Plant and the US Ecology thermal treatment facility in Moose Creek.

**Government-to-Government Consultation on Montana Selenium Standards for Lake Koocanusa**

On August 10, the R8 RA and staff along with R10 management and staff will be conducting a virtual Government-to-Government consultation with the leadership of the Kootenai Tribe of Idaho and the Confederated Salish and Kootenai Tribes. This consultation, led by R8, will cover the site-specific Selenium water quality standard that was developed by the State of Montana for Lake Koocanusa.

**Idaho Rural Partnership Board Meeting**

R10 Idaho Operations Office Director will be participating in the Idaho Rural Partnership (IRP) Board Meeting on August 12. The IRP Partnership is a federal/state/tribal and private sector partnership, guided by state statute, and devoted to addressing the health and vitality of rural communities across Idaho.

**Chelan County Climate Adaptation and Resilience Workshop (WA)**

Chelan County will be hosting a virtual community meeting on August 12, to get input into their climate adaptation plan. This event is happening with support from the EPA, FEMA, Federal Reserve Bank Pilot Community Climate Adaptation and Resiliency workshops. Topics range from water quality to forest health and wildfire/air quality concerns.

## Office of Air and Radiation

### Hot Topics

- **Packages for Signature:**
  - Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration (OSWI) Units Review (Proposed Rule)
  - Test Methods and Performance Specifications for Air Emission Sources (Final Rule)
- **Packages at OMB for Review:**
  - Biogenic CO<sub>2</sub> (Proposed Rule: RECEIVED February 24)
  - 2021 RFS Rule (Proposed Rule: RECEIVED May 13)
  - Amendments Related to Marine Diesel Engine Emission Standards (Final Rule: RECEIVED May 15)
  - Oil and Gas Sector Reconsideration (Final Rule: RECEIVED June 2)
  - Oil and Gas Sector Review (Final Rule: RECEIVED June 2)
  - NESHAP Amendment: General Provisions for Once In Always In (Final Rule: RECEIVED July 16)
  - Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Project Emissions Accounting (Final Rule: RECEIVED July 24)
- **Packages Heading to OMB Soon**
  - Alaska Remote Generators Report to Congress
  - Review of GHG Emissions from New, Modified, and Reconstructed Stationary Sources (Final Rule)

### Upcoming Major Decisions and Events

#### **American Petroleum Institute (API)**

Next week, Principal Deputy Assistant Administrator, Anne Austin, will speak to API's Downstream Executive Committee on RFS activities.

#### **2010 1-Hour SO<sub>2</sub> Primary NAAQS Redesignations**

This week, EPA proposed to redesignate certain unclassifiable areas in Missouri, Nebraska, Ohio, and Texas, designated during the EPA's Round 2 air quality designations for the 2010 1-Hour SO<sub>2</sub> Primary NAAQS, to attainment/unclassifiable based on newly available monitoring data. Specifically, EPA now has the 3 years of data required to determine that these areas are meeting the standards.

#### **Guidance on Plantwide Applicability Limitation Provisions**

This week, EPA issued a final memorandum titled, Guidance on Plantwide Applicability Limitation Provisions Under the New Source Review Regulations. A plantwide applicability limitation (PAL) is an optional flexible permitting mechanism that involves the establishment of a plantwide emissions limit, in tons per year, for a regulated new source review (NSR) pollutant. This guidance addresses specific concerns raised by stakeholders on the PAL provisions and is intended to generally improve the understanding of PALs.

**Office of Chemical Safety and Pollution Prevention**Hot Topics**Application for Experimental Use Permit for Potato Containing New PIPs**

Last week, OCSPP published in the Federal Register a Notice of Receipt seeking public comments on the submission of an application for a pesticide Experimental Use Permit (EUP) containing new biotech Plant-Incorporated Protectants (PIPs). The JR Simplot Company submitted the application for a genetically modified potato containing four PIP active ingredients. Testing for research and development, regulatory trials, and agronomic optimization is proposed on 220 acres in 11 states during the 2021 growing season. Because the experimental potatoes could enter the food supply, the company also submitted petitions for exemptions from the requirement of tolerance for the PIPs. EPA will take comments for 30 days.

**List N: Disinfectants for Use Against SARS-CoV-2 (COVID-19)**

Last week, OCSPP completed the review of testing data against SARS-CoV-2 for 4 products on List N. The registrant for each such product may now list the claim on the product label, easing the public's ability to find disinfectants for use against SARS-CoV-2. There are now 19 such products on List N that have been tested against SARS-CoV-2. OCSPP also added 4 products, all of which have existing EPA registrations, to List N; 1 was added with an Emerging Viral Pathogen claim and 3 were added with tuberculosis claims.

Upcoming Major Decisions and Events**Chitosan Minimum Risk Ingredient Listing Notification to USDA**

During the week of August 10, OCSPP anticipates publishing a FRN announcing submission to the USDA of the proposed rule, "Pesticides; Proposal to Add Chitosan to the List of Active Ingredients Permitted in Exempted Minimum Risk Pesticides Products." This rule, responding to a 2018 petition, would exempt the petitioner from most burdens associated with FIFRA pesticide registration requirements. Chitosan is found in the cell walls of nearly all fungi. Chitin and its derivative chitosan are found in the shells of all crustaceans and the exoskeletons of most insects. EPA's scientific review supports the petitioner's minimum risk claims. FIFRA requires the Administrator to provide the USDA Secretary with a copy of any proposed rule at least 60 days before signing it. If the Secretary comments within 30 days, EPA must include those comments and EPA's response with the proposal in the Federal Register.

**Cuprous Iodide Draft Ecological Risk Assessment**

During the week of August 10, OCSPP will open a 30-day public comment period on the Cuprous Iodide Draft Ecological Risk Assessment. Cuprous iodide is an active ingredient in the material preservative Cupron Cuprous Iodide Masterbatch, which suppresses the growth of algae, mold, mildew, fungi and bacteria from manufactured products such as bedding, apparel and outerwear. OCSPP has determined that cuprous iodide is not expected to pose a discernable threat to terrestrial and aquatic organisms.



### **TSCA SACC Perchloroethylene Meeting Minutes and Final Report**

During the week of August 10, OCSPP will announce the availability of the TSCA Science Advisory Committee on Chemicals (TSCA SACC) Meeting Minutes and Final Report from the May 26 – 29, meeting to peer review the draft risk evaluation for perchloroethylene. The report will be available in the public docket and on the TSCA SACC meeting website.

### **TSCA SACC Asbestos Meeting Minutes and Final Report**

During the week of August 17, OCSPP will announce the availability of the TSCA SACC Meeting Minutes and Final Report from the June 8 – 11, meeting to peer review the draft risk evaluation for asbestos. The report will be available in the public docket and on the TSCA SACC meeting website.

### **2021 Green Chemistry Challenge Awards**

On August 17, OCSPP anticipates announcing that it will accept nominations for the 2021 Green Chemistry Challenge Awards. These prestigious awards recognize innovation by American businesses and researchers that redesign chemical products and processes to reduce or eliminate the use and manufacture of hazardous substances. Nominations will be due December 4, and OCSPP will host a webinar on September 23, to overview the requirements and criteria and provide tips for submitting application packages.

**Office of the Chief Financial Officer**Hot Topics

On July 31, OCFO briefed the Administrator on FY 2022 OMB Submission options based on the July 14, SLC Budget Forum and the NPM Multi-Year Plans. To implement the Administrator's decisions, OCFO will send OMB Submission guidance to the agency by this Friday to meet OMB's September 14 due date.

The agency has received one Mission assignment for Hurricane Isaias for \$250K for assistance in Puerto Rico.

Upcoming Major Decisions and Events

On August 7, OCFO plans to provide FY 2020 Q3 Agency Priority Goal Action Plans to OMB pending final program/APG lead policy review of the Infrastructure, Lead, and PFAS Action Plans. Lead programs described progress towards FY 2020 results for four of the six APGs—we missed the Q3 nonattainment APG target by one (expect to exceed Q4 target), and we missed Q3 targets for permit backlog metrics and are not on track for Q4.

The FY 2020 Q3 Administrator's Quarterly Performance Review is scheduled for August 11.

Each AA and RA must submit his or her hand- or digitally-sign FY 2020 assurance letter to the Administrator by August 17. These letters support the Administrator's statement of assurance to the President and Congress.

GAO and OIG Audits and Activities

The following tables summarize new agency OIG and GAO audits and other related activities since the last report through July 31.

OIG Audits – Week Ending 7/31/2020				
Audit #	Title	Status	Office	Next Steps/Comments
Project No. OAE-FY20-0269	EPA's Actions on Final Safer Affordable Fuel-Efficient Vehicles Rule Part 2	Project Notification	AO, OAR	Project Notification issued on 7/27/20.

GAO Audits – Week Ending 7/31/2020				
Audit Phase	Title	Office	Engagement/Report No.	Next Steps/Comments
Entrance Conference	Agencies' Use of Continuity of Operations (COOP) Plans in Response to the COVID-19 Pandemic	OMS/OLEM	Engagement Code 104295	OCIR and OGC opted to provide written responses to GAO's data call in lieu of an Entrance Conference. Responses are due by 8/14/2020.
	Implementation of Deregulatory Actions	OP	Engagement Code 104305	The Entrance Conference is scheduled for 8/7/2020.
Exit Conference	Contamination from Certain Man-Made Chemicals (Formerly PFAS)	OW, OCSPP, OLEM	Engagement Code 103982	The Exit Conference is scheduled for 8/13/2020.
	GAO Cost-Benefit Methodologies for Deregulatory Actions	OP	Engagement Code 104220	GAO requested an Exit Conference for the week of 8/3/2020. However, OCIR and OP rejected the request due to GAO's ongoing data collection.
	EPA Enforcement Activities	OECA	Engagement Code 103869	GAO requested an exit conference. OECA is coordinating.
Statement of Facts	Lead and Copper Rule	OA	Engagement Code 103512	The Statement of Facts was received on 7/22/2020. Written responses are due to GAO by 8/7/2020.
Draft Report	Child Care Facilities: Federal Agencies Need to Enhance Monitoring and Collaboration to Help Assure Drinking Water is Safe from Lead	OA/OW	Report no. GAO-20-597 Engagement Code 103241	The report contains 2 recommendations for OW. The formal response is due to GAO by 8/17/2020.

### Other

OCFO encourages agency personnel to participate in the last semi-annual PeoplePlus time and attendance systems training session geared toward all EPA employees on August 13. To register, go to the [ [HYPERLINK](#) ]

"https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fforms.office.com%2FPages%2FResponsePage.aspx%3Fid%3Ds3iziEhnZOis-Xaqy-ymp-2F9jGcfeNJiv5NNfbAy9FUREpEOTVVWU5ZSDVYSEpVVU4yME4wWTVWNCQIQCN0PWcu&data=02%7C01%7CWeekly\_Report\_Group%40epa.gov%7Cfc1cc7e223e5421e14f108d83a04bcac%7C88b378b367484867acf976aa6beca6a7%7C0%7C0%7C637323139299113124&sdata=Mm4WKk1D0y94TNzTiUjiBjvyHT2qF4Ntt%2B8xbcXJ9S8%3D&reserved=0" ]

Agency responses (OAR, OW, OLEM, AO/OCIR, OECA, ORD) are due to OCFO by August 14, on OMB comments provided July 30, on EPA's summary of findings dashboards and risk assessments describing progress towards the 11 strategic objectives in the FY 2018-2022 EPA Strategic Plan. OCFO will provide EPA's response in advance of the FY 2022 OMB Submission, as requested by OMB.

**Office of Congressional and Intergovernmental Relations**

Hot Topics

- (Ongoing)** COVID-19-tracking state and local inquiries of national significance re: grants, fuel waivers, enforcement.
- August 12** The LGAC Revitalizing Communities Workgroup will meet to provide input on a visioning exercise related to future planning for the RCRA Corrective Action program. Representatives from OLEM will attend to offer technical input
- August 18** Sen. Murphy (CT) staff briefing request on AA Aquariums UV light w/R1, R9, OCSPP

Upcoming Major Decisions and Events

Nothing to Report.

**Office of Enforcement and Compliance Assurance**Hot Topics**Crystal Geyser Water Bottler Ordered to Pay \$5 Million Criminal Fine for Illegal Storage, Transportation of Arsenic-Laced Waste**

On August 5, CG Roxane, the company that produces “Crystal Geyser Natural Alpine Spring Water” was sentenced to three years of probation and ordered to pay criminal fines totaling \$5 million for illegally storing and transporting hazardous waste created from filtering arsenic out of spring water at its facility in Olancho, California. CG Roxane obtained water by drawing groundwater from the eastern slope of the Sierra Nevada mountains that contained naturally occurring arsenic. The company used sand filters to reduce the concentration of arsenic so the water would meet federal drinking water standards. For approximately 15 years, CG Roxane discharged arsenic-contaminated wastewater into a manmade pond – known as “the Arsenic Pond.” State officials met with company representatives in April 2015, presented a list of preliminary violations, and instructed the company to arrange for the removal of the Arsenic Pond. In May 2015, CG Roxane hired United Pumping Services, Inc. and United Storm Water, Inc. to remove the hazardous waste and transport it – which was done without a proper manifest and without identifying the wastewater as a hazardous material. The arsenic-contaminated wastewater was ultimately transported to a Southern California facility that was not authorized to receive or treat hazardous waste. As a result, more than 23,000 gallons of the wastewater from the Arsenic Pond was discharged into a sewer without appropriate treatment. On July 29, United Pumping Services, Inc. and United Storm Water, Inc. pleaded guilty to violating the Clean Water Act and each was sentenced to pay a \$375,000 criminal fine.

**RCRA Smart Tools Implemented Successfully in the Field**

R10 conducted a field inspection two weeks ago using Smart Tools and the Panasonic Toughbook, and it was a complete success. This is the first time the Smart Tools software on the EPA production server was used in the field. The EPA inspector was able to collect evidence using the tablet and upload all photos and notes to the server successfully. R7 is also planning to use Smart Tools in the field when the area meets CDC guidelines. To ensure these inspectors are well equipped, OECA continues to provide Smart Tools refresher Webinars and Help Desk support to both EPA and states. OECA has also demonstrated how the inspectors can use Smart Tools for off-site compliance evaluations and virtual inspections.

Upcoming Major Decisions and Events

On August 13, OECA is providing training on the Interim EPA COVID-19 Health & Safety Guidelines for Field Activities to EPA staff and managers and contractors, states, tribes, and grantees with EPA credentials who conduct field activities on EPA’s behalf.

**Office of General Counsel**Hot Topics***Ohio v. EPA, No. 19-3500 (6th Cir. August 5)***

New Decision: The court dismissed as moot Ohio and Tennessee's appeal of the denial of a motion for a preliminary injunction against the 2015 rule defining "waters of the United States" under the Clean Water Act. Because EPA and the Army Corps of Engineers have now issued two final rules repealing and replacing the 2015 definition, the court found that "as a practical matter," the agencies have "already provided" the states' desired relief, noting that "[a]s matters now stand . . . a preliminary injunction against the 2015 Rule's enforcement in Ohio and Tennessee would lack any practical effect upon the rights asserted here." Though the court found the states' appeal moot, the court noted that the states' underlying case against the 2015 rule "remains a live one" given the "fair prospect" that the "the 2015 Rule might again take effect nationwide" as a result of litigation challenging the agencies' subsequent rules.

***Oregon Cattlemen's Association v. EPA, No. 3:19-CV-00564 (D. Or. August 6)***

New Decision: The U.S. District Court for the District of Oregon dismissed without prejudice the Oregon Cattlemen's Association's ("the Cattlemen") challenge to the Navigable Waters Protection Rule for lack of standing. The ruling came during the Court's hearing on the Cattlemen's motion for a preliminary injunction against the Navigable Waters Protection Rule. During the hearing, the Court focused its questioning on the standing issue and the information provided in the Cattlemen's declarations in support of its motion for preliminary injunction. The Court concluded that the Cattlemen failed to provide sufficiently detailed information to support standing.

***Matusow v. Wheeler, No. 20-72279 (9th Cir. filed August 3)***

New Litigation: A petition for review was filed in the 9th Circuit Court of Appeals regarding EPA's June 2, action on the Maricopa Association of Government's 2017 Plan for the Phoenix-Mesa, Arizona ozone nonattainment area related to 2008 ozone NAAQS requirements. In that action, EPA finalized approval of portions of the Plan that addressed requirements for emissions inventories, attainment demonstration, reasonably available control measures (RACM), reasonable further progress (RFP), emission budgets, vehicle inspection and maintenance (I/M), new source review (NSR) and offsets. The EPA also finalized a disapproval of the portion of the Plan that addressed the requirements for contingency measures for failure to attain or to make RFP. However, based on a separate finding that the Phoenix NAA attained the 2008 ozone standards by the applicable attainment date, EPA previously determined that the requirement for the State to submit a state implementation Plan (SIP) revision addressing attainment contingency measures no longer applied for the Phoenix NAA (that separate action is also being challenged in the 9th Circuit). EPA finalized the determination that the requirement for the State to submit a SIP revision addressing RFP contingency measures no longer applies for the Phoenix NAA.

Upcoming Major Decisions and Events

On Wednesday, August 5, EPA and the State of Utah announced an agreement resolving the State's legal claims associated with the Gold King Mine release, which occurred on August 5, 2015, in southwest Colorado. Pursuant to the agreement, Utah will dismiss its legal claims against the EPA and the United States, as well as EPA's contractors, and EPA will strengthen Utah's involvement in the Agency's work to address contamination at the Bonita Peak Mining District Superfund Site, which includes the Gold

King Mine and other abandoned mines. EPA will also continue to partner with Utah on other environmental priorities, including the assessment of abandoned mine sites in Utah that may be impacting its waters as well as other projects to improve Utah's water quality.



**Office of International and Tribal Affairs**Hot Topics**Free Trade Agreement (FTA) Updates**

EPA participated in virtual negotiation and implementation activities related to three separate FTAs this week. OITA, OAR, OCSPP and OGC participated in the third round of FTA negotiations with the United Kingdom, which will conclude with a session on trade in international transport services next week. In addition, OITA, OAR, OCSPP and OGC participated in the first round of FTA negotiations with Kenya, which resumed this week after a delay due to COVID-19. Lastly, OITA and OECA virtually met with the Office of the U.S. Trade Representative (USTR) about possible USTR funding for OECA monitoring/ enforcement projects that will help to assure compliance of our partner countries with their environmental obligations in the United States-Canada-Mexico (USMCA) Agreement.

**EPA AND USAID Collaboration on Marine Litter in Dominican Republic**

EPA (OITA and R2) held a call with USAID to discuss opportunities for collaboration on marine litter in the Dominican Republic (DR). USAID launched their Clean Cities Blue Ocean Initiative in the DR last year and is in the process of selecting an NGO to complete an initial study on waste management behaviors in the Samana Peninsula. USAID is interested in having the DR develop a national solid waste management strategy to help ensure sustainability of the projects. EPA is working with the national government and other stakeholders to support the development of a national plan of action for marine litter that could include a solid waste management strategy and thereby provide a link to the USAID program.

**U.S. Department of Treasury Imposes Sanctions on China**

On July 31, the Department of the Treasury's Office of Foreign Assets Control imposed financial sanctions on the Xinjiang Production and Construction Corps (XPCC) and two People's Republic of China (PRC) current or former officials pursuant to Executive Order 13818 ("Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption"), which builds upon and implements the Global Magnitsky Human Rights Accountability Act. The officials include the current Ministry of Ecology and Environment Party Secretary, Sun Jinlong. Mr. Sun was the former Party Secretary of the XPCC and is designated for having acted or purported to act for or on behalf of, directly or indirectly, the XPCC. These designations are the latest in the whole-of-government effort by the United States to target the human rights abuses in the Xinjiang region.

Upcoming Major Decisions and Events

Nothing to Report.

## Office of the Land and Emergency Management

### Hot Topics

#### **Coal Combustion Residuals (CCR).**

- a. CCR Phase 2 proposed rule (package 1) – On October 15, 2019, the public comment period ended; OLEM is reviewing the comments.
- b. CCR permitting NPRM (package 3) – On July 31, the reopening notice for this NPRM will be published in the FR, and the public comment period will end on August 7.
- c. CCR litigation packages (package 2, parts A and B) – OLEM is working with OP and OGC on a memo to the Administrator requesting approval of minor changes to the post-signature version of the Part A final rule; we are coordinating with OMB. For the Part B final rule, we anticipate final management review soon.
- d. CCR Legacy Units ANPRM – OLEM is preparing responses to the OMB/Interagency comments received on August 3.

#### **PCB Extraction NPRM**

OLEM is working on the package and we anticipate it going to OP soon for OMB review.

#### **Subpart J Monitoring Rule**

The Final Agency Review meeting is scheduled for August 20.

#### **National Priorities List (NPL)**

- a. **Ongoing major Superfund NPL sites**  
We are working with R2 on Maywood, Woodbrook Road, and Rolling Knolls; R3 on Barefoot; R4 on Oak Ridge, Birmingham 35<sup>th</sup> Ave., and Petroleum Products Corporation; R5 on Sandoval; and R10 on Portland Harbor, Quendall Terminal, Bradford Island, and East Waterway.
- b. **September 2020 NPL Rules**  
OLEM is preparing the NPL rule packages for signature. The proposed rule will propose to add four sites to the NPL, and the final rule will add six sites to the NPL.
- c. **CERCLA 108(b) Financial Assurance (next three sectors)**  
The public comment period for the Industry 2 (Petroleum and Coal) rule ended on February 21. On May 6, an options selection meeting for 108(b) additional classes was held. The public comment period for the Industry 3 (Chemical Manufacturing) NPRM ended May 6.

## **PFAS**

- a. Designation of PFOA/PFOS as CERCLA Hazardous Substances NPRM - The rule package was submitted to the Office of Policy on September 20, 2019, for OMB review.
- b. National Defense Authorization Act (NDAA) PFAS Waste Destruction and Disposal Interim Guidance – OMB/Interagency review began on July 27; EPA has requested an expedited 60-day review.

## **Upcoming Major Decisions and Events**

### **Environmental Workforce Development and Job Training (EWDJT) Meeting**

The EWDJT All-Grantee meeting will be held virtually August 11 – August 13.

### **Quarterly Performance Review (QPR)**

OLEM will participate in the third quarter QPR on August 11.

### **Association of State and Territorial Solid Waste Management Officials (ASTSWMO) Meeting**

OLEM Senior Leadership will meet virtually with the ASTSWMO Executive Board on August 12.

### **Tribal Lands and Environment Forum (TLEF)**

OLEM Leadership and staff will participate in the TLEF, which will be held virtually on August 17 – August 20.

**Office of Mission Support**Hot Topics**EPA Chief Information Officer Interviewed by FEDInsider**

CIO, Vaughn Noga, participated in the webinar *Simplifying Telework Technology in Government*, hosted by FEDInsider on July 30. The webinar explored how government agencies simplified the technological challenges in their telework strategy during the pandemic. Watch the archived webinar here: [ HYPERLINK

"https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgoto.webcasts.com%2Fstarthere.jsp%3Ffei%3D1346034%26tp\_key%3Dcd99b63f2d%26sti%3Dspkr&data=02%7C01%7CCarter-Jenkins.Shakeba%40epa.gov%7Cf247b18bc326464f153f08d837ba81d1%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637320621488590837&sdata=Abxl%2BL1j7YPFRaYMWrr54qXCF3rYloxXaNmdCdFdV78%3D&reserved=0" ].

The event was amplified via Twitter by @FedInsider, @Solarwinds, @usedgov, and @SBAGov. 269 viewers participated and provided very positive feedback on the discussion, including:

- GREAT panel. Thank you for the practical examples.
- Great to learn about the education and training needs to continue simplifying telework. Also, multi-factor e-authentication for security.
- Great Discussion. It seems that government is doing a fantastic job of using the telework technology. It is now an essential factor in government for the future.
- Each representative provided takeaways on how they are handling the increases of teleworkers and innovative ways for smoother transitions for regular and non-teleworkers. Also, making sure that employees communicate and have connectivity within their offices like helpdesks or FAQs, and many other resources that are available at their fingertips.
- Very good; excellent discussion of a significant transition in the modern IT environment.
- Excellent and diverse presentations. Thank you!

**Update on NDAA for Fiscal Year 2019**

A major portion of the John S. McCain National Defense Authorization Act (NDAA) for Fiscal Year 2019 ([ HYPERLINK "https://www.congress.gov/115/plaws/publ232/PLAW-115publ232.pdf" ]) that impacts federal contracts will take effect in August 2020. Section 889(a)(1)(B) of the NDAA prohibits executive agencies from entering into, extending, or renewing a contract with a contractor that uses any equipment, system, or service from banned telecommunications or video surveillance equipment/services companies. The proscribed companies are Huawei, ZTE, Hikvision, Hytera, and Dahua and their subsidiaries and affiliates. Regulations implementing Section 889(a)(1)(B) will go into effect on August 13.

This week OAS will issue Agency-wide policy implementing the requirements of Section 889 (a)(1)(B). In the coming weeks OMS will conduct training for the acquisition community and will take all required actions on existing and future contracts (amendments, modifications, etc.) to fully implement Section 889 (a)(1)(B). Kimberly Patrick has been designated as the Agency's Senior Accountable Official for Supply Chain Risk Management to ensure implementation of all supply chain risk management requirements.

**EPA Improves its FITARA Scorecard Grade**

On the July 2020 [ HYPERLINK

"https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmanagement.cio.gov%2F&data=02%7C01%7CCarter-

Jenkins.Shakeba%40epa.gov%7C26bbb21385ad42ba9fc108d8395dd070%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637322422373871257&sdata=IHSB8T7F%2F%2FWSH7AtFyCwxPDJc%2BBbVjRb8X0H%2BhoTHiU%3D&reserved=0" ] (FITARA) report, EPA improved its grade from a C+ to a B+ on the FITARA scorecard. The Congressional IT management scorecard, commonly known as the FITARA scorecard, is released twice a year by the [ HYPERLINK

"https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Foversight.house.gov%2Fsubcommittees%2Fgovernment-operations-116th-congress&data=02%7C01%7CCarter-

Jenkins.Shakeba%40epa.gov%7C26bbb21385ad42ba9fc108d8395dd070%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637322422373881249&sdata=4%2BcbwsgjsGbpA%2B6y4ilChWlxDKP%2FipB1Vns7IUSxw48%3D&reserved=0" \t "\_blank" ] (HORC) as a Congressional assessment of federal agencies genuinely responsible for risk management, incremental software development, CIO reporting structure and more. And over the years, it has been expanded to include other major IT laws like:

- Making Electronic Government Accountable Tangible Efficiencies (MEGABYTE) Act
- Modernizing Government Technology Act (MGT)
- Federal Information Security Modernization Act (FISMA)

The Government Accountability Office (GAO) helps the HORC produce the FITARA Scorecard, which is comprised of these 7 key areas:

- Agency CIO Authority Enhancements (Incremental Development)
- Transparency and Risk Management (OMB's IT Dashboard)
- Portfolio Review (Portfolio Stat)
- Data Center Optimization Initiative (DCOI)
- Software Licensing (FITARA and MEGABYTE)
- Modernizing Government Technology (MGT Act)
- Cyber (FISMA)

### Onboarding and Agency Gains

With the focus on high priority hiring initiatives, we are still seeing an increase in the volume of applicants and new hires to the agency.

- **209** total onboards for the month of July with a Time-to-Hire of 80 days.
- **118** external gains for the month of July.
- **402** total external agency gains for FY20.
- **279** applicants have received an offer with **148** of those currently pending EOD.

### 2020 AFGE Contract Management Training and Resources

The [ HYPERLINK "https://intranet.epa.gov/ohr/emplrelations/AFGE-EPA%20CBA%20-%20July%202020.pdf" ] for AFGE bargaining unit employees was finalized in July. On Tuesday, August 11, from 2-3 PM EDT, a Teams Live Event is scheduled to discuss the key changes in the 2020 CBA. This event is only for EPA managers and supervisors, and a Live Event calendar invite will be sent separately. Questions will be answered as time permits. Please review the [ HYPERLINK

"https://intranet.epa.gov/ohr/emplrelations/AFGE-EPA%20CBA%20-%20July%202020.pdf" ] in advance and check [ HYPERLINK

"https://usepa.sharepoint.com/sites/OARM\_Community/epasupervisorresources/2020%20AFGE%20MCBA%20Information/Forms/AllItems.aspx?viewpath=%2Fsites%2FOARM\_Community%2Fepasupervisorresources%2F2020%20AFGE%20MCBA%20Information%2FForms%2FAllItems.aspx" ] for updates. For additional

information, or if you have any questions, please reach out to your assigned [ HYPERLINK "https://intranet.epa.gov/ohr/emplrelations/ler-poc.html" ].

### Upcoming Major Decisions and Events

#### **Federal Health Benefits Service Day is August 13**

Federal Health Benefits Service Day is an opportunity for employees to confidentially discuss, either by phone or virtually, a variety of health and wellness topics with Federal Health Benefits providers, including billing, claims, deductibles, enrollment, medical coverage and member services. Please visit the [ HYPERLINK

"https://usepa.sharepoint.com/sites/OARM\_Community/benefits\_corner/SitePages/Upcoming-Benefits-W.aspx?source=https%3A%2F%2Fusepa.sharepoint.com%2Fsites%2FOARM\_Community%2Fbenefits\_corner%2FSitePages%2FForms%2FByAuthor.aspx" ] for how to participate and register for time with your preferred vendors.

#### **Upcoming Veterans' Hiring Webinar**

The HR Shared Service Centers (SSCs) will host a Veterans' Hiring Webinar the third week of August. (Tuesday, August 18, 2:00 – 3:00 pm, Wednesday, August 19, 10:00 – 11:00 am, Thursday, August 20, 2:00 – 3:00 pm). The SSCs will cover different types of appointing authorities, how to apply, and resume tips, and a panel of veterans will share their experience transitioning from the military to the EPA.

#### **Social Security Webinar on August 20**

As part of its new *Thriving Tuesdays and Trending Thursdays* webinar series, OMS will host a **Social Security** webinar on Thursday, August 20, from 11:00 – 1:00 PM EDT. Participants will learn how to maximize social security benefits. Registration is not required. Click [ HYPERLINK

"https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fepawebconferencing.acms.com%2Fco-vid19webinars&data=02%7C01%7CCarter-Jenkins.Shakeba%40epa.gov%7Cc820f031c758412c071908d833eced06%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637316439963925783&sdata=fU19BDEHGQt2OM%2FkmhYGZZVmxSBETtGR54sU1Skn494%3D&reserved=0" ] to attend live. Visit the [ HYPERLINK

"https://usepa.sharepoint.com/sites/OARM\_Community/benefits\_corner/SitePages/Upcoming-Benefits-W.aspx?source=https%3A%2F%2Fusepa.sharepoint.com%2Fsites%2FOARM\_Community%2Fbenefits\_corner%2FSitePages%2FForms%2FByAuthor.aspx" ] to learn more about this and other upcoming webinars.

**Office of Policy**Hot Topics**Recreation Economy for Rural Communities Virtual Workshop**

On Monday, August 10, the Office of Policy's Office of Community Revitalization, will conduct a virtual workshop to support community efforts in Glenwood Springs, CO (Opportunity Zone), to identify strategies that support main street investment in the recreation economy sector.

**Local Foods for Local Places Virtual Workshop**

On Wednesday, August 12, the Office of Policy's Office of Community Revitalization, will conduct a virtual workshop to support community efforts in Evansville, IN, (Opportunity Zone), to convert an abandoned food bank facility, located at a Superfund site, into a multi-use food center.

Upcoming Major Decisions and Events

Active Interagency Reviews from OMB		
Subject		OMB Due Date
DOC/BIS ANPRM: Identification and Review of Controls for Certain Foundational Technologies		08/06/2020
NARA NPRM (Pass-Back): Federal records management: Digitizing permanent records and reviewing records schedules		08/07/2020
DOD/DARS Interim Rule: Defense Federal Acquisition Regulation Supplement: Restriction on the Acquisition of Tantalum (DFARS Case 2020-D007)		08/07/2020
Dept. of State FRM: Environmental Protection: Regulations for Implementation of the National Environmental Policy Act (NEPA)		08/12/2020
DHS/FEMA NPRM: Cost of Assistance Estimates in the Disaster Declaration Process for the Public Assistance Program		08/13/2020
CEQ Guidance: Guiding Principles for Sustainable Federal Buildings		08/17/2020
DOI/FWS NPRM (Pass-back): Endangered and Threatened Wildlife and Plants; Revision of the Regulations for Designating Critical Habitat, ESA 4(b)(2)		N/A
Documents Sent to the OFR from July 31- August 5, 2020		
FRL #	Title	Date Sent to FR
10012-82-Region 5	Public Water System Supervision Program Approval for the State of Ohio Arsenic Rule	08-05-2020
10013-00-Region 1	Air Plan Approval; Rhode Island; Reasonably Available Control Technology for the 2008 and 2015 Ozone Standards	08-05-2020
10013-23-ORD	Board of Scientific Counselors (BOSC) Homeland Security Subcommittee Meeting — August 2020	08-05-2020
10013-32-OW	Proposed Information Collection Request; Comment Request; Modification of Secondary Treatment Requirements for Discharges into Marine Waters (Renewal)	08-05-2020

10013-05-Region 3	Air Plan Approval; Pennsylvania; 1997 8-hour Ozone NAAQS Second Maintenance Plan for the Harrisburg-Lebanon Carlisle Area	08-05-2020
10013-24-Region 3	Air Plan Approval; Pennsylvania; 1997 8-Hour Ozone NAAQS Second Maintenance Plan for the Altoona (Blair County) Area	08-05-2020
10010-83-OCSP	Pesticide Experimental Use Permit; Receipt of Application; Comment Request (May 2020)	08-04-2020
10012-34-Region 3	West Virginia: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference	08-04-2020
10012-33-Region 5	Public Water System Supervision Program Approval for the State of Wisconsin—Lead and Copper Rule Short-term Revisions	08-04-2020
10012-36-Region 3	West Virginia: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference	08-04-2020
10002-27-OCSP	Notification of Submission to the Secretary of Agriculture; Pesticides; Update to the Exemptions of Certain Plant-Incorporated Protectants (PIPs) to Reflect Newer Technologies	08-03-2020
10010-98-OCSP	Flupyradifurone; Pesticide Tolerances	08-03-2020
10012-25-OAR	Technical Correction to the Flex-fuel Vehicle Provisions in CAFE Regulations (DFR)	08-03-2020
10012-03-OCSP	Fludioxonil; Pesticide Tolerances	08-03-2020
10012-28-Region 9	Air Plan Approval; California; San Joaquin Valley Unified Air Pollution Control District and Feather River Air Quality Management District	08-03-2020
10012-88-Region 6	Air Plan Approval; Texas; Beaumont-Port Arthur Area Second Maintenance Plan for 1997 Ozone National Ambient Air Quality Standards	08-03-2020
10012-90-OCSP	Revocation of Significant New Use Rule for a Certain Chemical Substance (P-16-581)	08-03-2020
10012-91-Region 4	Air Plan Approval; KY; Jefferson County Existing and New Miscellaneous Metal Parts and Products Surface Coating Operations	08-03-2020
10012-01-Region 5	Public Water System Supervision Program Approval for the State of Illinois--Consumer Confidence Rule	08-03-2020
10012-24-OAR	Technical Correction to the Flex-fuel Vehicle Provisions in CAFE Regulations (NPRM)	08-03-2020
10013-28-Region 4	Air Plan Approvals; KY; Prevention of Significant Deterioration and Modeling Infrastructure Requirements for 2015 Ozone NAAQS	08-03-2020
10013-45-OMS	Request for Nominations to the National and Governmental Advisory Committees to the U.S. Representative to the Commission for Environmental Cooperation	08-03-2020
10013-07-OCSP	Significant New Use Rules on Certain Chemical Substances (20-8.B)	08-03-2020



10013-09-Region 9	Hawaii: Proposed Authorization of Underground Storage Tank Program Revisions	08-03-2020
10013-25-Region 4	Air Plan Approval; NC; Blue Ridge Paper SO2 Emission Limits	08-03-2020
10012-94-OAR	Notice of Availability of One Updated Chapter in the Environmental Protection Agency's Air Pollution Control Cost Manual	07-31-2020
10012-80-OCSP	Tetrachlorvinphos; Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations and Amend Registrations to Terminate Certain Us	07-31-2020
10012-85-OMS	Proposed Information Collection Request; Comment Request; General Administrative Requirements for Assistance Programs	07-31-2020
10013-04-Region 6	New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Albuquerque-Bernalillo County Air Quality Control Board	07-31-2020
10013-03-Region 6	New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Albuquerque-Bernalillo County Air Quality Control Board	07-31-2020

## Office of Research and Development

### Hot Topics

#### **Covid-19**

#### **ORD met with the US Indo-Pacific Command (USINDOPACOM) Science and Technology Office**

ORD researchers and USINDOPACOM S&T are currently discussing potential research collaboration opportunities that would expand upon the research that EPA is currently conducting for long-term disinfection that could include materials common in military infrastructure and assets. Currently, the US Indo-Pacific Command (USINDOPACOM) is faced with the challenge of mitigating the risk associated with the potential spread of infectious disease among warfighters operating, training, and living in close quarters (e.g., on ships). Because re-contamination of surfaces in these spaces may outpace routine cleaning and disinfection practices, USINDOPACOM is particularly interested in the use of products that may provide residual disinfection activity on treated surfaces.

#### **Water Research Foundation (WRF) Wastewater Monitoring Interlaboratory Comparison**

WRF selected ORD researchers to participate in interlaboratory comparison of methods to detect SARS-CoV-2. The sampling effort will start on August 17.

#### **Ohio Wastewater Monitoring Efforts for SARS-CoV-2**

ORD continues to collect samples from Metropolitan Sewer District treatment plants. The samples will be analyzed, and data will be transferred to the Ohio Department of Health for inclusion in the new state wastewater surveillance dashboard. The state website will include wastewater data from the major metropolitan areas within Ohio by the second week of August. Researchers coordinated with the City of Dayton and Montgomery County to begin sampling the three wastewater treatment plants within the

Dayton metropolitan area. EPA is responsible for weekly analysis of these samples, along with the Metropolitan Sewer District plants, for addition to the Ohio wastewater dashboard.

### **Clean 2020 Virtual Summit**

This week ORD presented on stage 1 of the [ HYPERLINK "http://clean2020summit.org/" ] about EPA's Cleaning and Disinfection Guidance developed in collaboration with CDC and the White House, and EPA's COVID-19 research portfolio. The Summit brings together thought leaders from business, policy, standards development, science and engineering to better understand current knowledge and identify opportunities to work together to control viral transmission in the built environment.

### **Salivary Antibody Assay to Assess Community Exposure for SARS-CoV-2 Virus**

To date, there are 30 participants enrolled in the study. ORD is working with physician researchers at University of North Carolina (UNC)-Chapel Hill to amplify recruitment outreach. ORD has completed analysis of 53 COVID-positive serum samples and 36 negative controls. ORD is looking into the possibility of obtaining lists of positive individuals for study recruitment. In response to EPA's recent outreach via Science Matters and social media to recruit participants, Bloomberg Law ran an article: EPA's Saliva Test for COVID Antibodies Ready for Human Subjects ([ HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fnews.bloomberglaw.com%2Fenvironment-and-energy%2Fepas-saliva-test-for-covid-antibodies-ready-for-human-subjects&data=02%7C01%7CHubbard.Carolyn%40epa.gov%7C1e2d94e6aa4549cc83a808d8395df5c8%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637322422997348992&sdata=ayxAr8K9fls20ncb9O91XOBa8RA7MA1t6VQliu5ltZU%3D&reserved=0" ]).

### **PFAS Innovation Treatment Team (PITT) Update**

The PITT is finalizing plans for two field tests they will be conducting in late August and is lining up other options for lab and field work for the remainder of this summer. The Team recently participated in a teleconference with staff from the municipal waste combustor where the PITT will be conducting emission sampling in late August. The meeting focused on discussing field sampling details and COVID-19 precautions. The Team is also working out details for a field study they plan to conduct during the week of August 24, at a biomass management system located at a wastewater treatment plant. The field study is part of a larger overall effort by EPA to evaluate the effectiveness of thermal technologies to treat PFAS from waste or media. A Materials Cooperative Research and Development Agreement (MCRADA) has been negotiated with a large firm that has substantial experience in Supercritical Water Oxidation (SCWO). A second MCRADA with a firm specializing in electrochemical oxidation has been finalized. Additionally, a Scope of Work and Quality Assurance Project Plan are being developed for work with an RTP-area start-up specializing in SCWO.

### **ORD Supports Texas Commission of Environmental Quality – Blue Ridge Landfill**

ORD researchers are working with the Office of the Texas Attorney General and the Texas Commission of Environmental Quality (TCEQ) to address environmental concerns associated with the Blue Ridge Landfill. Residents near the landfill have complained of odors coming from the landfill. Inadequate landfill gas collection at the site caused the odors. Researchers are evaluating emissions from the landfill and assisting TCEQ in building capacity within their regulatory staff to conduct an evaluation in the future.

### **ORD Supports R7 – Bridgeton/West Lake Landfill**

ORD researchers are supporting R7 by addressing issues with the former Bridgeton Sanitary Landfill and Inactive Sanitary Landfill in St. Louis, Missouri, a superfund site. Researchers are helping the

region assess the risk of an elevated landfill temperature event spreading from one landfill cell to another with radioactive contamination.

### **Options Selection for Strengthening Transparency in Regulatory Science (Tier 1)**

On August 10, the Administrator will select options for the definitions of terms, peer review, and the Administrator's exemption for Strengthening Transparency in Regulatory Science (Tier 1).

### **New STAR Grants Funded**

On August 3, EPA [ HYPERLINK "<https://www.epa.gov/newsreleases/epa-awards-4-million-develop-new-approaches-evaluating-chemical-toxicokinetics>" ] five grants were awarded under the Science to Achieve Results (STAR) [ HYPERLINK

"[https://cfpub.epa.gov/ncer\\_abstracts/index.cfm/fuseaction/display.rfatext/rfa\\_id/653](https://cfpub.epa.gov/ncer_abstracts/index.cfm/fuseaction/display.rfatext/rfa_id/653)" ]. These projects aim to advance the development of chemical toxicokinetic tools and approaches for broader applicability during chemical evaluations, with an emphasis on their application within new approach methodology (NAM) frameworks.

### **Science Advisory Board Comments on Consolidated Human Toxicity Assessment Guidelines Development**

On August 3, the Science Advisory Board released its [ HYPERLINK "[https://yosemite.epa.gov/sab/sabproduct.nsf/LookupWebProjectsCurrentBOARD/5C5E7E088099A0D7852585B90062D739/\\$File/EPA-SAB-20-008.pdf](https://yosemite.epa.gov/sab/sabproduct.nsf/LookupWebProjectsCurrentBOARD/5C5E7E088099A0D7852585B90062D739/$File/EPA-SAB-20-008.pdf)" ] on the Risk Assessment Forum's proposed approach for the development of the Consolidated Human Toxicity Assessment Guideline. The SAB was generally supportive of the modular approach and provided suggestions for additional modules and on the prioritization of the module development.

### **Upcoming Major Decisions and Events**

On Tuesday, August 11, ORD will meet virtually with the R5 leadership and their states. This meeting is an opportunity for ORD to hear from the R5 state environmental agencies about their science priorities and needs, as well as to provide the states with updates on EPA research, including on PFAS treatment and COVID-19 in the areas of exposure, wastewater, and cleaning and disinfection.

**Office of Water**

Hot Topics

Nothing to Report.

Upcoming Major Decisions and Events

Nothing to Report.